

# ZONING BOARD OF ADJUSTMENT

## AGENDA INFORMATION



**FARMERS  
BRANCH**

February 28, 2017

## AGENDA

### ZONING BOARD OF ADJUSTMENT CITY OF FARMERS BRANCH, TEXAS

FEBRUARY 28, 2017  
6:30 P.M.  
COUNCIL CHAMBERS  
CITY HALL

Approval of the minutes of the January 17, 2017 Zoning Board of Adjustment regular meeting.

Todd Bonneau, representing Bill Woodall, owner of Lot 9, Block 2 of Brookhaven Estates 7 subdivision, more commonly known as 3235 Golfing Green Drive, is requesting permission to construct a new home with garage doors facing the street where other homes do not. Section 3.3 H 2(h) of the Comprehensive Zoning Ordinance prohibits vehicle entrance openings facing the street in the front half of the lot when at least 75% of the homes on the block do not have vehicle entrance openings facing the street in the front half of the lot. However, Lots within R-3, R-4, R-5 and R-6 zoning districts that have less than 81 feet of street frontage may locate a front facing garage door as long as a minimum setback 10 feet greater than that of the main structure is provided. A variance to allow the home with garage doors facing the street, on a lot with 92 feet of street frontage, would be required to allow a permit to be issued.

#### Adjournment

Posted on the bulletin board at City Hall before 5:00 P.M. on February 24, 2017 by  
Rebecca Albin.

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FARMERS BRANCH CITY HALL IS WHEEL CHAIR ACCESSIBLE. ACCESS TO THE BUILDING AND SPECIAL PARKING ARE AVAILABLE AT THE MAIN ENTRANCE FACING WILLIAM DODSON PARKWAY. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO ARE DEAF OR HEARING IMPAIRED AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS A SIGN INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, OR LARGE PRINT ARE REQUESTED TO CONTACT THE CITY SECRETARY'S OFFICE AT 972-919-2503 AT LEAST 72 HOURS PRIOR TO THE MEETING.



## Information Memorandum

To: Zoning Board of Adjustment

From: Hugh Pender – Building Official

Subject: Agenda Item No. 1

Date: February 13, 2017

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### **APPROVAL OF THE MINUTES OF THE JANUARY 17, 2017 REGULAR MEETING:**

Minutes attached.

### **ACTIONS BY THE BOARD:**

1. Motion that the Zoning Board of Adjustment approve the minutes of the January 17, 2017 regular meeting (as drafted)(as amended in the study session).
2. Any other action desired by the Board.

Attachments:

Draft minutes of the January 17, 2017 regular meeting.

**MINUTES OF A REGULAR MEETING**  
**ZONING BOARD OF ADJUSTMENT**

**FARMERS BRANCH, TEXAS**  
**JANUARY 17, 2017**  
**6:30 P.M.**

**COUNCIL CHAMBERS**  
**CITY HALL**

Members of the Zoning Board of Adjustment present were:

|               |                |
|---------------|----------------|
| Chairman      | John Tarlton   |
| Vice Chairman | Mike Del Valle |
|               | Michael Rogan  |
|               | Jonathan Smith |
|               | Glenn Douglass |
| Alternates    | David Griggs   |
|               | Robin Bernier  |

Members of City Administration present were:

|                     |                  |
|---------------------|------------------|
| Building Official   | Hugh Pender      |
| Recording Secretary | Rebecca Albin    |
| Plans Examiner      | Danielle Summers |

Chairman Tarlton called the meeting to order at 6:34 p.m. and greeted all in attendance.

Chairman Tarlton requested that any member of the audience intending on testifying regarding any case before the Board to rise and be sworn in. They did so.

Chairman Tarlton noted that regular members would be voting members of the Board this evening.

**APPROVAL OF THE MINUTES OF THE JULY 27, 2016 MEETING**

Chairman asked the Board if they had read the minutes of the July 27, 2016 meeting and if any Board member had corrections. After deliberation a motion was made by Mr. Douglass and seconded by Mr. Del Valle to approve the minutes of the July 27, 2016 meeting as drafted. The motion carried unanimously.

Mr. Tarlton read the following legal notice.

**Eric and Jenny Long**, owners of Lot 1, Block K of Brookhaven Estates 5 subdivision, more commonly known as **13416 Briarbrook Drive**, are requesting permission to construct a new home with garage doors facing the street where other homes do not. Section 9-502(o) of the Comprehensive Zoning Ordinance prohibits vehicle entrance openings facing the street in the front half of the lot when at least 75% of the homes on the block do not have vehicle entrance openings facing the street in the front half of the lot. A variance to allow the home with garage doors facing the street would be required to allow a permit to be issued.

Chairman Tarlton opened the public hearing and directed the Hugh Pender, Building Official for City of Farmers Branch, to step forward and present the case. Mr. Pender relayed that the Long's wish to construct a new house on this property. The proposed garage entrance openings are located at the southwest corner of the lot. Due to the lots curvilinear front property line, the proposed garage location technically faces the front yard. The angle of the garage is such that it would only be visible from the street traveling north out of the cu-de-sac. A variance would be required to construct the garage as presented. Staff feels there are unique circumstances with this lot and would support the requested variance.

Mr. Tarlton asked if anyone would like to come forward to speak to the case. The homeowner, Jenny Long (13416 Briarbrook), came forward to reiterate that the lot is very irregular and provides very limited use of the land. The owners and the architect moved the layout around quite a bit. They definitely do not want to remove the mature trees on the lot. These factors determined the final layout of the property.

Mr. Richard Dean (13403 Briarwood) came forward to speak to the case. He does not want the garage to be facing the cul-de-sac as his bedrooms face that way and the lights will bother them. He would vote to deny the variance.

Mr. Robert Enfield (3140 Briarbrook) also came forward and also spoke against the variance for similar reasons as Mr. Dean.

Todd Bonneau (13581 Braemar) came forward to speak for the Long family. He announced to the Zoning Board that he had not been hired by the Long family, but that he had reviewed the plans and the lot and he felt that it was quite irregular and would support the request for a variance as to where the garages would face.

Chairman Tarlton asked Staff if any correspondence had been received regarding the application. Mr. Pender responded that 18 notices were mailed to surrounding property owners and that the file contained 1 letter in favor and 1 letter against.

Mr. Tarlton asked if there was anyone else in the audience who would like to testify either in favor or opposed to the request. No one else came forward.

With no further testimony being offered, a motion was made by Mr. Rogan and seconded by Mr. Smith, that the public hearing be closed. The motion carried unanimously.

After deliberation a motion was made by Mr. Rogan and seconded by Mr. Del Valle that the Zoning Board of Adjustment **grant** the requested variance to Section 9-502 (o) of the Zoning Ordinance to allow vehicle entrance openings facing the street in the front half of the lot at 13416 Briarbrook Drive, because their determination from the facts and evidence presented at the public hearing indicated that the small rear yard and existing improvements prevent the owners from meeting the Ordinance as stated and; that literal enforcement of the Ordinance would result in an unnecessary hardship. The motion passed with a vote of 4 in favor and 1 against, with Chairman Tarlton opposing.

#### ADJOURNMENT

With no other items on the agenda, a motion was made by Mr. Smith and seconded by Mr. Del Valle that the Zoning Board of Adjustment be adjourned at 7:29 p.m. The motion carried unanimously.

#### APPROVED:

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John Tarlton  
Chairman

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Rebecca Albin  
Recording Secretary



## Information Memorandum

To: Zoning Board of Adjustment

From: Hugh Pender – Building Official

Subject: Agenda Item No. 2 (17-02)

Date: February 13, 2017

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### **PUBLIC HEARING:**

Todd Bonneau, representing Bill Woodall, owner of Lot 9, Block 2 of Brookhaven Estates 7 subdivision, more commonly known as 3235 Golfing Green Drive, is requesting permission to construct a new home with garage doors facing the street where other homes do not. Section 3.3 H 2(h) of the Comprehensive Zoning Ordinance prohibits vehicle entrance openings facing the street in the front half of the lot when at least 75% of the homes on the block do not have vehicle entrance openings facing the street in the front half of the lot. However, Lots within R-3, R-4, R-5 and R-6 zoning districts that have less than 81 feet of street frontage may locate a front facing garage door as long as a minimum setback 10 feet greater than that of the main structure is provided. A variance to allow the home with garage doors facing the street, on a lot with 92 feet of street frontage, would be required to allow a permit to be issued.

### **EXPLANATION:**

The home Mr. Bonneau has proposed for this lot meets all the criteria to take advantage of the provision that allows vehicle entrance openings to face the street with the exception of lot width. Numerous properties along the portion of Golfing Green Drive from Webb Chapel to Brookhaven Club experience a wider front property line than that of the rear property line due to the curvature of the road. A variance would be necessary in order to issue a permit for this proposed project as submitted.

### **RECOMMENDATION:**

The Board will need to determine if additional lot width in the front constitutes a property hardship in this case.

### **ACTIONS BY THE BOARD:**

1. Motion that the Zoning Board of Adjustment grant a variance to Section 3.3 H 2(h) of the Comprehensive Zoning Ordinance to allow a lot with more than 81 feet of street frontage to have a front facing garage door as long as a minimum setback 10 feet greater than that of the main structure is provided at 3235 Golfing Green Drive, (*with conditions*) because our determination from the facts and evidence presented at the public hearing indicated that literal enforcement of the Zoning Ordinance will not be contrary to public interest and; that enforcement of the Ordinance will result in an unnecessary hardship.
2. Motion that the Zoning Board of Adjustment deny the requested variance at 3235 Golfing Green Drive, because our determination from the facts and evidence presented at the public hearing indicated that no substantial property hardships exist that warrant the requested variance and; that literal enforcement of the Comprehensive Zoning Ordinance will be contrary to public interest and; that enforcement of the Ordinance will not result in an unnecessary hardship.
3. Any other action desired by the Board.

#### **Attachments:**

Application

Area Map

Site Plan

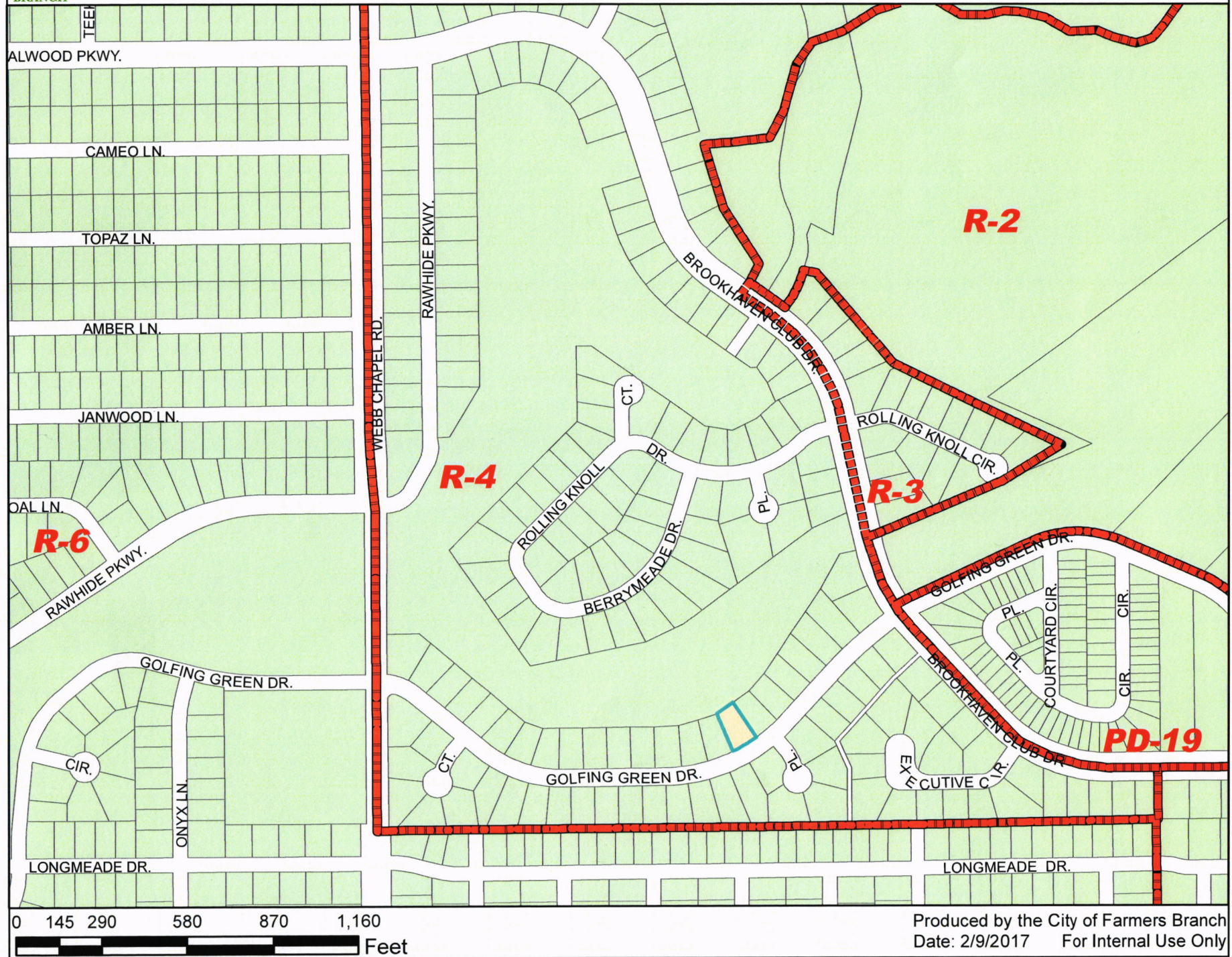
Floor plans

Elevations

Notice to Surrounding Property Owners and Summary of Responses.



ZBA 17-2 - Location View  
3235 GOLFING GREEN DR



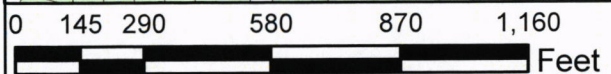
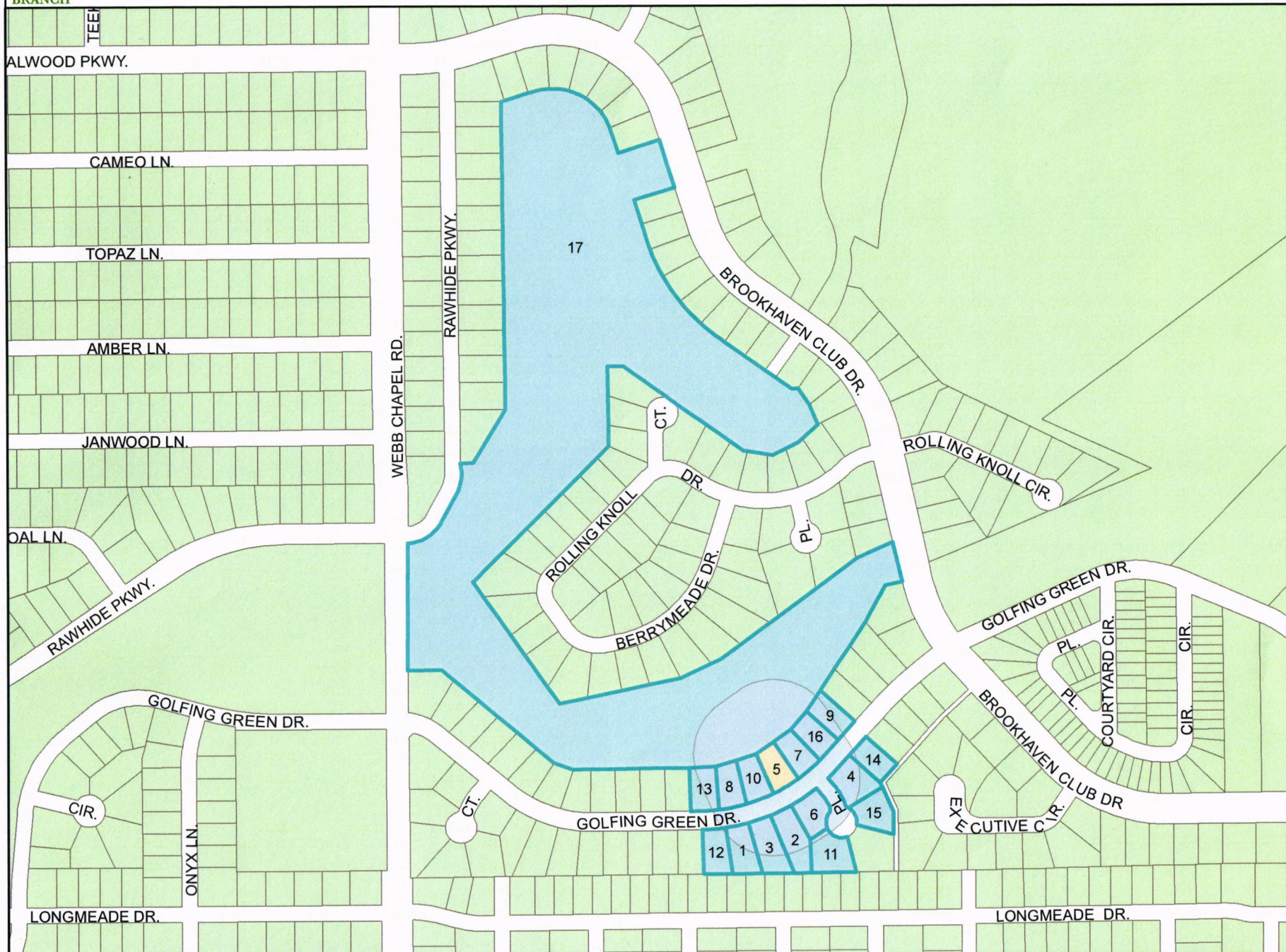


ZBA 17-2 - Aerial View  
3235 GOLFING GREEN DR





ZBA 17-2 - Buffer View  
3235 GOLFING GREEN DR



MUCHOW KRISTIN ELAINE &  
GREGSTON TAYLOR EUGENE  
3218 GOLFING GREEN DR  
FARMERS BRANCH TEXAS 752343704

MARSHALL AMBER  
3230 GOLFING GREEN DR  
FARMERS BRANCH TEXAS 752343704

BEARD EILEEN  
3224 GOLFING GREEN DR  
FARMERS BRANCH TEXAS 752343704

FUTCH LIVING TRUST  
H FRED FUTCH & GWENDA TR  
3260 GOLFING GREEN PL  
FARMERS BRANCH TEXAS 752343760

FRANKLIN SHYRLEE A  
5309 PALADIUM DR  
DALLAS TEXAS 752547542

DAVIS INGEBOG  
3236 GOLFING GREEN PL  
FARMERS BRANCH TEXAS 752343760

MEZZOUR ANIS  
3245 GOLFING GREEN DR  
FARMERS BRANCH TEXAS 752343703

MOYER BRENT & KIMBERLY  
3217 GOLFING GREEN DR  
FARMERS BRANCH TEXAS 752343703

BAXTER ROBERT E JR  
3265 GOLFING GREEN DR  
FARMERS BRANCH TEXAS 752343703

PRICE MILTON MATTHEWS & COLLEEN  
MCDONNELL  
3225 GOLFING GREEN DR  
FARMERS BRANCH TEXAS 752343703

PRIEST REVOCABLE TRUST  
3242 GOLFING GREEN PL  
FARMERS BRANCH TEXAS 752343760

RAMA SREEDEVI  
3605 VINEYARD WAY  
FARMERS BRANCH TEXAS 752346569

ALCOX ROBERT J &  
BECKY ANNE  
3211 GOLFING GREEN DR  
FARMERS BRANCH TEXAS 752343703

MERRILL RICHARD N LIFE ESTATE  
3266 GOLFING GREEN DR  
FARMERS BRANCH TEXAS 752343779

DAVIS CHRISTOPHER J &  
SHARON A  
3254 GOLFING GREEN PL  
FARMERS BRANCH TEXAS 752343760

PRICE DIANA CAROLE HOLMES  
3255 GOLFING GREEN DR  
FARMERS BRANCH TEXAS 752343703

BROOKHAVEN COUNTRY CLUB  
BROOKHAVEN COUNTRY CLUB  
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